

**Response to Missing
Requirements Under
35 USC § 371**

Attorney Docket No.: MEISS88.001APC
 First Named Inventor: Ferdinand Gundolf
 Int'l Application No.: PCT/EP03/03690
 US Application No.: 10/511,116
 Entered National Phase: October 12, 2004
 Title: APPARATUS FOR PROMOTING BONE GROWTH,
 ESPECIALLY FOR OSTEOSYNTHESIS OF BONE
 FRAGMENTS AND/OR FIXATION OF BONE
 FRACTURES

Direct all correspondence to Customer No.: 20995

Date: April 21, 2005

Page 1 of 2

Mail Stop PCT
 United States Patent and Trademark Office
 PO Box 1450
 Alexandria, VA 22313-1450

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: PCT, United States Patent and Trademark Office, PO Box 1450, Alexandria, VA 22313-1450, on

April 21, 2005

(Date)

Marina L. Gardey, Reg. No. 52,950

Applicant herewith submits to the US Designated/Elected Office (DO/EO/US) the following items and other information:

- (X) This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
- (X) Copy of the Notification of Missing Requirements under 35 USC 371 dated March 9, 2005.
- (X) An Oath or Declaration signed by the inventor (35 USC 371(c)(4)) in 2 pages.
- (X) An English translation of the International Preliminary Examination Report for PCT/EP2003/003690.
- (X) Information Disclosure Statement and Form PTO/SB/08 Equivalent in 2 total pages (IDS and 1449).
- (3) references enclosed.
- (X) Return prepaid postcard.

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FILING FEES NOT YET PAID:

FEE CALCULATION				
FEE TYPE		LARGE FEE	CALCULATION	TOTAL
Late Oath/Decl.	37 CFR § 1.492(h)	1617 (\$130)		\$130
Excess Claims	11 - 20 = 0	1615 (\$50)	0 x 50 =	\$0
Excess Ind. Claims	1 - 3 = 0	1614 (\$200)	0 x 200 =	\$0
Multiple Claim	37 CFR § 1.492(f)	1616 (\$360)		\$0
			SUB TOTAL	\$130
The present application qualifies for Small Entity status under 37 CFR § 1.27. Fee reduced by 1/2.				(\$65)
Late English Trans	37 CFR § 1.492(i)	1618 (\$130)		\$0
			TOTAL FEE DUE	\$65

A check in the amount of \$65 is enclosed to cover the above fees.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 11-1410.


 Marina L. Gordey
 Registration No. 52,950
 Agent of Record
 Customer No. 20,995
 (805) 547-5580

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

MG

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/511,116	Ferdinand Gundolf	MEISS88.001 APC
INTERNATIONAL APPLICATION NO.		
PCT/EP03/03690		
20995	IA. FILING DATE	PRIORITY DATE
KNOBBE MARTENS OLSON & BEAR LLP 2040 MAIN STREET FOURTEENTH FLOOR IRVINE, CA 92614	04/09/2003	04/11/2002
CONFIRMATION NO. 8836		
371 FORMALITIES LETTER		
OC000000015390169		

Date Mailed: 03/09/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 10/12/2004
- English Translation of the IA filed on 10/12/2004
- Copy of the International Search Report filed on 10/12/2004
- Copy of IPE Report filed on 10/12/2004
- Preliminary Amendments filed on 10/12/2004
- Request for Immediate Examination filed on 10/12/2004
- U.S. Basic National Fees filed on 10/12/2004
- Priority Documents filed on 10/12/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- **\$65** Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

LAMONT M HUNTER

Telephone: (703) 308-9140 EXT 201

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/511,116	PCT/EP03/03690	MEISS88.001 APC

FORM PCT/DO/EO/905 (371 Formalities Notice)